DISTRICT OFFICE: CESWG-PE-RCC FILE NUMBER: I-4982

St Co	ECT LOCATION INFORMATION: tate: Texas county: Nueces lenter coordinates of site (latitude/longitude):	27 27	42/07 17 20
Ap Na	pproximate size of area (parcel) reviewed, incl ame of nearest waterway: Laguna Madre ame of watershed: Laguna Madre	27-37- luding upland	-42/97-17-20 ls: 4.6 acres.
	SDICTIONAL DETERMINATION ompleted: Desktop determination Site visit(s)	Date: Date(s	12 November 2004):
Ju	urisdictional Determination (JD):		
×	Preliminary JD - Based on available inform United States" and/or "navigable waters of (Reference 33 CFR part 331).	ation, 🔯 <i>the</i> the United St	re appear to be (or) there appear to be no "waters of the ates" on the project site. A preliminary JD is not appealable
	Approved JD – An approved JD is an appea Check all that apply:	alable action (Reference 33 CFR part 331).
	There are "navigable waters of the Unite the reviewed area. Approximate size of juri	ed States" (as isdictional are	defined by 33 CFR part 329 and associated guidance) within a:
	There are "waters of the United States" reviewed area. Approximate size of jurisdic	(as defined b	by 33 CFR part 328 and associated guidance) within the
	There are "isolated, non-navigable, intra Decision supported by S Jurisdiction.	<i>a-state</i> waters SWANCC/Mi	s or wetlands" within the reviewed area. Igratory Bird Rule Information Sheet for Determination of No
BASIS (A.	OF JURISDICTIONAL DETERMINATIO Waters defined under 33 CFR part 329 as The presence of waters that are subject to the the past, or may be susceptible for use to train	s "navigable e ebb and flow	w of the tide and/or are presently used or have been used in
В. П	(1) The presence of waters, which are curren interstate or foreign commerce, including all (2) The presence of interstate waters including	ntly used, or w waters which ng interstate v	vere used in the past, or may be susceptible to use in h are subject to the ebb and flow of the tide. wetlands ¹ .
	(3) The presence of other waters such as intra sandflats, wetlands, sloughs, prairie potholes destruction of which could affect interstate c (i) which are or could be used by interst.	astate lakes, r s, wet meadow ommerce incl ate or foreign ould be taken strial purpose ed as waters of	rivers, streams (including intermittent streams), mudflats, ws. playa lakes, or natural ponds, the use, degradation or luding any such waters (check all that apply): a travelers for recreational or other purposes. and sold in interstate or foreign commerce. es by industries in interstate commerce.
	 (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to oth 	ner waters of t	the US, except for those wetlands adjacent to other wetlands.
Kati	tionale for the Basis of Jurisdictional Dotorn	nination (on-	alloo 4 a a a a a a a a a a a a a a a a a a

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Site is located on Laguna Madre, theerfore the upper limit Section 404 boundary is defined by the high tide line.

FILE NUMBER: I-4982

FIGE NOMBER, 1-496							
teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:							
Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.							
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:							
The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:							
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:Other (explain): The majority of the site is uplands.							
Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute Historic quadrangles: U.S. Geological Su							

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG-PE-RCC FILE NUMBER: 23607-PROJECT LOCATION INFORMATION: State: Texas County: Cameron Center coordinates of site (latitude/longitude): 26-04-39/97-09-59 Approximate size of area (parcel) reviewed, including uplands: 0.03 acres. Name of nearest waterway: Laguna Madre Name of watershed: Laguna Madre JURISDICTIONAL DETERMINATION Completed: Desktop determination \boxtimes Date: 12 November 2004 Site visit(s) Ø Date(s): 17 November 2004 Jurisdictional Determination (JD): Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 0.03 acres. There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Permanent home-base mooring spot for floating dock constitutes fixed structure subject to Section 10.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(4) Impoundments of waters otherwise defined as waters of the US.(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

FILE NUMBER: 30760

	FILE NOMBER. 2000
	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by:
	clear, natural line impressed on the bank oil or scum line along shore objects
	the presence of litter and debris fine shell or debris deposits (foreshore)
	changes in the character of soil physical markings/characteristics
	destruction of terrestrial vegetation
	shelving other:
	oner.
\boxtimes	Mean High Water Mark indicated by:
	survey to available datum; A physical markings; vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:
	The reviewed area consists entirely of uplands.
	Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
H	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
Ш	The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
	Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
	Artificially irrigated areas, which would revert to upland if the irrigation ceased.
	Artificial lakes and ponds created by excavating and/or diking dry land to collect and
	retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or
	rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created
	by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
	Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for
	the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is
	abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
	Isolated, intrastate wetland with no nexus to interstate commerce.
	Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:Other (explain):
DATA I	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply):
	Maps, plans, plots or plat submitted by or on behalf of the applicant.
Ц	Data sheets prepared/submitted by or on behalf of the applicant.
	☐ This office concurs with the delineation report, dated , prepared by (company): ☐ This office does not concur with the delineation report, dated , prepared by (company):
	Data sheets prepared by the Corps.
	Corps' navigable waters' studies:
	U.S. Geological Survey Hydrologic Atlas:
×	U.S. Geological Survey 7.5 Minute Topographic maps:
	U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles:
Б	USDA Natural Resources Conservation Service Soil Survey:
\boxtimes	National wetlands inventory maps:
	State/Local wetland inventory maps:
님	FEMA/FIRM maps (Map Name & Date):
	100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995 DOQQ
胃	Other photographs (Date):
ð	Advanced Identification Wetland maps:
	Site visit/determination conducted on:
	Applicable/supporting case law:
	Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG-PE-RCC

FILE NUMBER: D-16737

	ROJECT LOCATION INFORMATION:	
	State: Texas	
	County: Cameron	
Ce	Center coordinates of site (latitude/longitude): 26-04-20/97-13-20	
Ap	Approximate size of area (parcel) reviewed, including uplands: 1 acres.	
INa No.	Name of nearest waterway: Laguna Madre	
ina	Name of watershed: Laguna Madre	
HIRISI	RISDICTIONAL DETERMINATION	
Co		
Cu	Charles ()	
	Site visit(s) Date(s):	
Jui	Jurisdictional Determination (JD):	
\boxtimes		market I was a s
	United States" and/or "navigable waters of the United States" on the project site. A preli (Reference 33 CFR part 331).	minary JD is not appealable
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:	
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and the reviewed area. Approximate size of jurisdictional area:	d associated guidance) within
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated reviewed area. Approximate size of jurisdictional area:	ed guidance) within the
	There are "isolated, non-navigable, intra-state waters or wetlands" within the review Decision supported by SWANCC/Migratory Bird Rule Information S Jurisdiction.	ed area. Theet for Determination of No
RASIS (SIS OF JURISDICTIONAL DETERMINATION:	
A.	A Waters defined under 22 CED next 220 - 4 1 1 1 4 4 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently the past, or may be susceptible for use to transport interstate or foreign commerce.	used, or have been used in
	the past, of may be susceptible for use to transport interstate of foreign commerce.	
В.	B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":	
	(1) The presence of waters, which are currently used, or were used in the past, or may be	suscentible to use in
	interstate of foreign commerce, including all waters which are subject to the ebb and flow	of the tide
	(2) The presence of interstate waters including interstate wetlands ¹	
	(3) The presence of other waters such as intrastate lakes rivers streams (including interms)	ittent streams) mudflats
	sandriats, wettailds, sloughs, plante pointies, wet meadows, playa lakes, or natural ponde	the use degree detien
	destruction of which could affect interstate commerce including any such waters (check a	I that apply).
	(1) which are or could be used by interstate or foreign travelers for recreational or other	er nurnesse
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign	commerce.
П	(iii) which are or could be used for industrial purposes by industries in interstate com	merce.
H	(4) Impoundments of waters otherwise defined as waters of the US.	
H	 (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. 	
岗	(7) The presence of wetlands adjacent ² to other wotors of the Lie and the state of the Lie and the	
Name of the last	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetland	s adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Upper limit of Section 404 boundary is HTL in absence of adjacent wetlands.

FILE NUMBER: D-16737

ral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. A Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Photos submitted by applicant Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-16718

Sta Co Ce Ap Na Na	proximate size of a me of nearest water me of watershed:	o site (latitude/longitud rea (parcel) reviewed, way: Rio Grande Rio Grande	e): , including	26-11.74987 98-23-20.5074 suplands: approximately 10 acres.	
JURISI Co	mpleted: Desktop Site visi	p determination		Date: 19 November 2004 Date(s):	
Jui	risdictional Determ	nination (JD):			
⊠	Preliminary JD - I United States" and (Reference 33 CF	wor havigable water	formation, s of the Ui	☑ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable	
	Approved JD – Ar Check all that app	n approved JD is an a ly:	ppealable	action (Reference 33 CFR part 331).	
	There are "nay the reviewed area.	vigable waters of the U Approximate size of	United Star jurisdiction	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area:	
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
	There are "iso.	lated, non-navigable, Decision supported Jurisdiction.	intra-state by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No	
BASIS (Waters defined up The presence of wa	aters that are subject to	9 as "nav o the ebb a	igable waters of the United States": and flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.	
	(1) The presence of interstate or foreign (2) The presence of (3) The presence of sandflats, wetlands destruction of which (i) which are of (ii) from which (iii) which are (4) Impoundments (5) The presence of (6) The presence of	f waters, which are cun commerce, including finterstate waters including fother waters such as a sloughs, prairie pother could affect interstate could be used by inthe fish or shellfish are or could be used for it of waters otherwise defat tributary to a water a tributary to a water a territorial seas.	arrently use g all water luding inte intrastate toles, wet a te comme terstate or or could be industrial p efined as we identified	lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or ree including any such waters (check all that apply): foreign travelers for recreational or other purposes. e taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce.	
D ~ 42	amala famili D	PT 1 11 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Rio Grande River is a water of the United States and is considered navigable by our district

FILE NUMBER: D-16718

La n	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: La Joya U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Hidalgo County National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Hidalgo County, Panels 480334 0400C, Revised November 16, 1982 100-year Floodplain Elevation is: 125 feet (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-16667

ate: ounty: enter coordi oproximate ame of near	Texas Kleberg nates of site (latitude/lesize of area (parcel) re est waterway: Arania (ongitude): viewed, includi	27-18.22.5607 97-48.45.1570 ing uplands: 6.8 acres.	
DICTIONA Ompleted:	AL DETERMINATIO Desktop determinatio Site visit(s)	DN n ⊠	Date: 19 November 2004 Date(s):	
risdictiona	l Determination (JD):	:		
Prelimina United S	ary JD - Based on avail tates" and/or "navigabl	able information	on, \square there appear to be (or) \boxtimes there appear to be no "waters United States" on the project site. A preliminary JD is not app	of the ealable
Approved Check all	d JD - An approved JD that apply:	is an appealab	le action (Reference 33 CFR part 331).	
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of N Jurisdiction.				
Waters d The presen	efined under 33 CFR nce of waters that are s	part 329 as "nubject to the eb	b and flow of the tide and/or are presently used, or have been u	sed in
(1) The printerstate (2) The pr (3) The pr sandflats, destruction (ii) wh (iii) fr (iii) w (4) Impour (5) The pr (6) The pr	resence of waters, which or foreign commerce, it esence of interstate was esence of other waters wetlands, sloughs, prain of which could affect which are or could be used on which fish or shell for the waters of waters other esence of a tributary to esence of territorial searce.	h are currently neluding all wasters including it such as intrastarie potholes, we interstate commend by interstate either are or could sed for industriarwise defined a water identifits.	used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. Interstate wetlands. It is lakes, rivers, streams (including intermittent streams), mudflet meadows, playa lakes, or natural ponds, the use, degradation merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. It be taken and sold in interstate or foreign commerce. In all purposes by industries in interstate commerce. It is waters of the US. It is waters of the US.	or
	ate: bunty: enter coordi pproximate ame of near ame of wate DICTIONA DICTI	ate: Texas bunty: Kleberg enter coordinates of site (latitude/lepproximate size of area (parcel) re ame of nearest waterway: Arania Came of watershed: DICTIONAL DETERMINATION There are "navigable waters are "navigable waters the reviewed area. Approximate size are "isolated, non-navigable waters are "isolated, non-navigable waters are "isolated, non-navigable waters are "isolated, non-navigable waters defined under 33 CFR There are "isolated, non-navigable waters defined under 33 CFR The presence of waters that are so the past, or may be susceptible for the past, or may be susceptible for the presence of other waters andflats, wetlands, sloughs, prain destruction of which could affect (i) which are or could be used (ii) from which fish or shellf (iii) which are or could be used (iii) which are or could be used (iii) which are or could be used (iii) from which fish or shellf (iii) which are or could be used (iiii) which are or could be used (iii) which are or could be used (county: Kleberg enter coordinates of site (latitude/longitude): proximate size of area (parcel) reviewed, including ame of nearest waterway: Arania Creek ame of watershed: DICTIONAL DETERMINATION completed: Desktop determination Site visit(s) Preliminary JD - Based on available information United States" and/or "navigable waters of the (Reference 33 CFR part 331). Approved JD - An approved JD is an appealabe Check all that apply: There are "navigable waters of the United States" (as reviewed area. Approximate size of jurisdiction. There are "waters of the United States" (as reviewed area. Approximate size of jurisdiction. There are "isolated, non-navigable, intra-size Decision supported by SW Jurisdiction. OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "not presence of waters that are subject to the ebence of the past, or may be susceptible for use to transpower waters defined under 33 CFR part 328.3(a) at (1) The presence of waters, which are currently interstate or foreign commerce, including all waters defined under 33 CFR part 328.3(a) at (2) The presence of interstate waters including in (3) The presence of other waters such as intrastate sandflats, wetlands, sloughs, prairie potholes, we destruction of which could affect interstate communication (ii) which are or could be used by interstate (iii) from which fish or shellfish are or could (iii) which are or could be used for industric (4) Impoundments of waters otherwise defined at (5) The presence of a tributary to a water identification of the presence of territorial seas.	ate: Texas outputs: Kleberg enter coordinates of site (latitude/longitude): 27-18.22.5607 97-48.45.1570 pproximate size of area (parcel) reviewed, including uplands: 6.8 acres. ame of nearest waterway: Arania Creek ame of watershed: DICTIONAL DETERMINATION output the past of the United States of the United States of the United States of a past of a past of a past of a past of the United States on the project site. A preliminary JD is not app (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance with reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination Jurisdiction. Def JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been up the past, or may be susceptible for use to transport interstate or foreign commerce. (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudfl sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation destruction of which could aff

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

2 FILE NUMBER: D-16667 **Lateral Extent of Jurisdiction:** (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or П Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for П the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Riviera U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: Riviera State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Kleberg County, Panels 480423 0445C and 0450C, Revised March 1, 1984 100-year Floodplain Elevation is: (NGVD)

Aerial Photographs (Name & Date):

Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Other photographs (Date):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-15441(01)

Sta Co Ce Ap Na	nte: Texas unty: Hidalg nter coordinates of proximate size of a		including	NAD 27 N26 6' 26.9" W98 15' 39.9" g uplands: 7.9 acres.		
JURISI Co	DICTIONAL DET mpleted: Deskto Site vis	p determination	⊠ □	Date: 11/16/04 Date(s):		
Jui	risdictional Detern	mination (JD):				
Ø	Preliminary JD -	Based on available inf nd/or "navigable waters	ormation, s of the U	☐ there appear to be (or) ☑ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable		
	Approved JD – A Check all that ap	An approved JD is an apply:	ppealable	action (Reference 33 CFR part 331).		
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "iso	olated, non-navigable, Decision supported Jurisdiction.	intra-state by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No		
Α.	Waters defined until The presence of w	aters that are subject to	9 as "nav the ebb a	rigable waters of the United States": and flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.		
	(1) The presence of interstate or foreign (2) The presence of (3) The presence of sandflats, wetland destruction of white the control of the	of waters, which are cugn commerce, including of interstate waters including of other waters such as as, sloughs, prairie poth ich could affect interstate or could be used by interstate or could be used for its of waters otherwise dof a tributary to a water of territorial seas.	rrently use g all water uding inte intrastate oles, wet ate comme erstate or or could b industrial p efined as v identified	lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or cree including any such waters (check all that apply): foreign travelers for recreational or other purposes. e taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce.		
Ratio	onale for the Basis	s of Jurisdictional De	terminati	on (applies to any boxes checked above). If the jurisdictional		

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

FILE NUMBER: D-15441(01) High Tide Line indicated by:

	Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: in scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics itidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: NWI
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Las Milpas, TX and Hidalgo, TX U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Deological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Min

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-16747

St Co Ce Aj Na	oproximate size of ar time of nearest water	o site (latitude/longitud rea (parcel) reviewed, way: Rio Grande	e): including	NAD 27N27 11' 7.0" W98 21' 24" guplands: 75 acres.		
JURIS	ome of watershed: DICTIONAL DETIONAL DETION Desktop Site visi	determination		Date: 11/16/04 Date(s):		
Ju	risdictional Determ	ination (JD):				
×	Preliminary JD - E	Based on available inf Hor "navigable waters	formation, s of the U	☐ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable		
	Approved JD – An Check all that appl	n approved JD is an a ly:	ppealable	action (Reference 33 CFR part 331).		
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "isol	lated, non-navigable, Decision supported Jurisdiction.	<i>intra-state</i> by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No		
BASIS (Waters defined un The presence of wa	iters that are subject to	9 as "nave the ebb	rigable waters of the United States": and flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.		
B.	Waters defined un (1) The presence of interstate or foreign (2) The presence of (3) The presence of sandflats, wetlands, destruction of which [in] (i) which are of (iii) which are of (4) Impoundments of (5) The presence of (6) The presence of	waters, which are cun commerce, including interstate waters including other waters such as a sloughs, prairie poth h could affect interstate r could be used by interstate or could be used for it of waters otherwise dua tributary to a water territorial seas.	8.3(a) as a rrently using all water uding interior intrastate oles, wet a comme erstate or could be industrial perined as a identified	"waters of the United States": ed, or were used in the past, or may be susceptible to use in as which are subject to the ebb and flow of the tide. erstate wetlands. lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or erce including any such waters (check all that apply): foreign travelers for recreational or other purposes. e taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce.		
Rati	onale for the Basis	of Jurisdictional De	terminati	on (applies to any house short 1 1 1)		

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

2 FILE NUMBER: D-16747 **Lateral Extent of Jurisdiction:** (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: NWI **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for \Box the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Mission, TX U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: Hidalgo County, TX National wetlands inventory maps: Mission, TX State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: +113 MSL (NGVD) Aerial Photographs (Name & Date): TNRIS 1995

Other photographs (Date): August, 2004 Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-16748

		FORMATION:			
Approxi Name of	oordinates of sit mate size of are	te (latitude/longitud a (parcel) reviewed, ay: Guadalupe Rive Guadalupe River	including	N28 32' 7.8" W96 54' 17.5" guplands: 6.0 acres.	
	ted: Desktop of Site visit(determination	⊠ □	Date: 11/16/04 Date(s):	
Jurisdic	tional Determii	nation (JD):			
Om	iminary JD - Ba ted States" and/oference 33 CFR	or mavigable waters	Formation, s of the Ui	there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable	
App Che	proved JD – An a ck all that apply	approved JD is an a	ppealable	action (Reference 33 CFR part 331).	
the i	There are "navig eviewed area. I	gable waters of the U Approximate size of	Inited Sta	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area: 6.0.	
revie	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				
		tted, non-navigable, Decision supported Jurisdiction.	<i>intra-state</i> by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No	
A. Wat ☑ The	ers defined und presence of wate	ers that are subject to	9 as "nav the ebb a	rigable waters of the United States": and flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.	
(1) T inter. (2) T (3) T sand: destr (4) Ir (5) T (6) T (7) T	he presence of vistate or foreign of the presence of in the presence of callats, wetlands, suction of which (i) which are or (ii) from which (iii) which are or (iii) my call the presence of a the presence of the presence of when the presenc	waters, which are cu commerce, including interstate waters including other waters such as sloughs, prairie poth could affect interstate could be used by interstate or could be used for if f waters otherwise do a tributary to a water erritorial seas.	rrently use g all water luding inte intrastate oles, wet a te comme terstate or or could b industrial p efined as v identified	lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or cree including any such waters (check all that apply): foreign travelers for recreational or other purposes. e taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce. waters of the US. I in (1) – (4) above.	
Kationale	for the Basis o	f Jurisdictional De	terminati	on (applies to any boxes checked above). If the jurisdictional	

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

FILE NUMBER: D-16748

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: Clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: aerial photographs High Tide Line indicated by: in scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: NWI
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Bloomington SW, TX U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Astural Resources Conservation Service Soil Survey: National wetlands inventory maps: Bloomington SW, TX State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): TNRIS 1995 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: SWG-04-27-007

Sta Co Ce Ap Na	ate: Texas bunty: Jefferson enter coordinates of site (latitude/longitude): 29° 42′ 32″N, 94° 06′ 46″W (NAD27) poproximate size of area (parcel) reviewed, including uplands: acres. ume of nearest waterway: Gulf Intracoastal Waterway ume of watershed: Sabine Lake
JURISI Co	DICTIONAL DETERMINATION Impleted: Desktop determination
Jur	risdictional Determination (JD):
	Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	☐ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
A.	Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.
Ratio wetlar	onale for the Basis of Jurisdictional Determination (applies to any boxes checked above). The project is located in nds adjacent to the Gulf Intracoastal Waterway. The wetlands are tidally influenced.

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: Applicant supplied information SWG-04-27-007 High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other: Applicant supplied information
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply: Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated, prepared by (company): This office does not concur with the delineation report, dated, prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. A Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: SWG-04-06-011

S C C A N	tate: Texas and Louisiana founty: Cameron Parish, Jefferson, Chambers, and Galveston Counties enter coordinates of site (latitude/longitude): 29° 41′ 05"N, 94° 05′ 54"W (NAD27) pproximate size of area (parcel) reviewed, including uplands: 290,000 acres. ame of nearest waterway: Gulf of Mexico ame of watershed: Sabine Lake
JURIS Co	COLOTIONAL DETERMINATION completed: Desktop determination
Ju	risdictional Determination (JD):
⋈	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
Α.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.
Ratio place	onale for the Basis of Jurisdictional Determination (applies to any boxes checked above). Seismic survey takes in the Gulf of Mexico, five miles off shore to 5 miles onshore.

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: SWG-04-06-011 High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
\boxtimes	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: 16430(08)

S C C A N	ounty: (enter coordina pproximate size ame of nearest	Texas Galveston ates of site (la ze of area (pa t waterway: (atitude/longitud arcel) reviewed, Clear Lake	including	Lat: 29.32.51 Long: 95.02.38 uplands: 100 acres.
JURIS	ame of waters. DICTIONAL ompleted: E	_ DETERMI	st Galveston Ba I NATION mination	y	Date: 18 November 2004 Date(s):
Ju.	risdictional E		on (ID).		Duic(3).
	Preliminary United State	JD - Based	on available inf avigable waters	ormation, of the Un	there appear to be (or) there appear to be no "waters of the ited States" on the project site. A preliminary JD is not appealable
\boxtimes	Approved J. Check all th	D – An appro at apply:	oved JD is an ap	pealable a	action (Reference 33 CFR part 331).
	There ar	re "navigable d area. Appr	waters of the Uoximate size of	Inited Stat jurisdictio	es" (as defined by 33 CFR part 329 and associated guidance) within onal area:
	There ar	e "waters of ea. Approxin	the United State	es" (as de sdictional	fined by 33 CFR part 328 and associated guidance) within the area:
	There are	j Decis	non-navigable, i sion supported b diction.	ntra-state by SWAN	waters or wetlands" within the reviewed area. CC/Migratory Bird Rule Information Sheet for Determination of No.
BASIS (A.	Waters define The presence	ned under 3. cof waters the	at are subject to	as "navi	gable waters of the United States": nd flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.
	(1) The prese interstate or f (2) The prese (3) The prese sandflats, weldestruction of (i) which (ii) from (iii) which (4) Impoundn (5) The prese (6) The prese (6) The prese interstate of (5) The prese (6) The prese (7) The prese (7) The prese (8) The prese (8) The prese (9) The prese (10)	foreign commence of intersection of other tlands, slough f which could are or could which fish och are or could ments of watence of a tribunce of territor.	s, which are cur nerce, including tate waters inclu- waters such as in hs, prairie pothed d affect interstath be used by inter- r shellfish are of the used for in- ters otherwise de entary to a water in trial seas.	rently use all waters ading inter ntrastate loles, wet not e commer erstate or for r could be adustrial profined as with	waters of the United States": d, or were used in the past, or may be susceptible to use in s which are subject to the ebb and flow of the tide. state wetlands ¹ . akes, rivers, streams (including intermittent streams), mudflats, neadows, playa lakes, or natural ponds, the use, degradation or ce including any such waters (check all that apply): oreign travelers for recreational or other purposes. Taken and sold in interstate or foreign commerce. Taken and sold in interstate commerce. Taken of the US. in (1) – (4) above.
Rati	onale for the	Basis of Juri	isdictional Dete	erminatio	n (applies to any boxes checked above). If the jurisdictional ited States, describe connection(s) to the downstream navigable

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency

FILE NUMBER: 16430(08) Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: ☑ U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** 22411(01)

P	St Co Co A _l Na	tate: Texas ounty: Cham enter coordinates o	bers f site (latitude/longitude area (parcel) reviewed.	e): including	Lat. 29.49.48 Long. 94.47.43 uplands: 0.006 acres.
JU	RIS Co	DICTIONAL DE ompleted: Deskto Site vi	op determination		Date: 17 November 2004 Date(s):
	Ju	risdictional Deter	mination (JD):		
	Ø	Preliminary JD - United States" ar (Reference 33 C	navigable waters	ormation, s of the Ur	☐ there appear to be (or) ☐ there appear to be no "waters of the ited States" on the project site. A preliminary JD is not appealable
		Approved JD – A Check all that ap	An approved JD is an apply:	pealable :	action (Reference 33 CFR part 331).
		There are "na the reviewed area	avigable waters of the Ua. Approximate size of	Inited Stat jurisdiction	es" (as defined by 33 CFR part 329 and associated guidance) within onal area:
		There are "wareviewed area. A	aters of the United State approximate size of juri	es" (as de sdictional	fined by 33 CFR part 328 and associated guidance) within the area:
		There are "iso	olated, non-navigable, Decision supported by Jurisdiction.	intra-state by SWAN	waters or wetlands" within the reviewed area. CC/Migratory Bird Rule Information Sheet for Determination of No
BAS	Α.	Waters defined to The presence of w	aters that are subject to	9 as "navi	igable waters of the United States": nd flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.
		interstate or foreig (2) The presence of (3) The presence of (3) The presence of sandflats, wetland destruction of whi (i) which are (ii) from which (iii) which are (4) Impoundments (5) The presence of (6) The presence of (7) The presence of	of waters, which are cured commerce, including of interstate waters including of other waters such as a set, so	rently users all waters uding interintrastate libles, wet note commender state or it or could be adustrial printed as widentified other waters.	akes, rivers, streams (including intermittent streams), mudflats, neadows, playa lakes, or natural ponds, the use, degradation or the including any such waters (check all that apply): foreign travelers for recreational or other purposes. It taken and sold in interstate or foreign commerce. The urposes by industries in interstate commerce. The urposes of the US. In (1) – (4) above. The urpose of the US, except for those wetlands adjacent to other wetlands.
]	Ratio water	onale for the Basis or or wetland is not	s of Jurisdictional Det itself a navigable water	ermination	on (applies to any boxes checked above). If the jurisdictional nited States, describe connection(s) to the downstream navigable

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

2 **FILE NUMBER: 22411(01)** Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for \Box the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date):

Other photographs (Date):

Advanced Identification Wetland maps:
Site visit/determination conducted on:
Applicable/supporting case law:
Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: 16745(05)

Si Ci Ci Aj	ECT LOCATION tate: Texas ounty: Chambenter coordinates of pproximate size of a ame of nearest water ame of watershed:	ers site (latitude/longitud rea (parcel) reviewed.	including	lat: 29.45.24 Long: 94.41.32 guplands: 0.006 acres.
JURIS Co	DICTIONAL DET ompleted: Deskto Site vis	p determination		Date: 17 November 2004 Date(s):
Ju	risdictional Detern	nination (JD):		
a	Preliminary JD - United States" and (Reference 33 CF	a. o. mariguoto water,	Formation, s of the Ur	there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
×	Approved JD – A Check all that app	n approved JD is an a ly:	ppealable	action (Reference 33 CFR part 331).
	☐ There are "nay the reviewed area.	rigable waters of the U Approximate size of	Inited Stat	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area:
	There are "was reviewed area. Ap	ters of the United State opproximate size of juri	es" (as de sdictional	fined by 33 CFR part 328 and associated guidance) within the area:
	There are "iso	lated, non-navigable, Decision supported Jurisdiction.	<i>intra-state</i> by SWAN	waters or wetlands" within the reviewed area. CC/Migratory Bird Rule Information Sheet for Determination of No.
Α.	Waters defined up The presence of wa	iters that are subject to	9 as "nav	igable waters of the United States": Ind flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.
	Waters defined up (1) The presence of interstate or foreign (2) The presence of (3) The presence of sandflats, wetlands destruction of which (i) which are of (ii) from which (iii) which are (4) Impoundments (5) The presence of (6) The presence of (7) The presence of (8)	f waters, which are cun commerce, including interstate waters including other waters such as a sloughs, prairie pother could affect interstate r could be used by interstate or could be used for including fish or shellfish are coording to the waters otherwise detained a tributary to a water territorial seas.	8.3(a) as "reently used all waters uding intended intrastate leading intended intrastate or it is commented as well as	d, or were used in the past, or may be susceptible to use in swhich are subject to the ebb and flow of the tide. restate wetlands. lakes, rivers, streams (including intermittent streams), mudflats, neadows, playa lakes, or natural ponds, the use, degradation or rece including any such waters (check all that apply): foreign travelers for recreational or other purposes. It taken and sold in interstate or foreign commerce. The urposes by industries in interstate commerce. The urposes of the US. In (1) – (4) above.
Ratio	onale for the Basis	of Jurisdictional Det	erminatio	on (applies to any boxes checked above). If the jurisdictional

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

2 **FILE NUMBER: 16745(05)** Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for П the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale; Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD)

Aerial Photographs (Name & Date): Other photographs (Date):

Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: SWG-04-07-059

PRO	Sta Cor Cer App Nar	CT LOCATION INFORMATION: te: Texas unty: Chambers nter coordinates of site (latitude/longitude proximate size of area (parcel) reviewed, me of nearest waterway: Cedar Bayou me of watershed: North Galveston Bay	e): 29° 42 including	2' 41"N, 94° 56' 00"W (NAD27) g uplands: <u>0.1</u> acres.
JUR		pictional determination mpleted: Desktop determination Site visit(s)		Date: 16 November 2004 Date(s):
	Jur	isdictional Determination (JD):		
		Preliminary JD - Based on available inf United States" and/or "navigable waters (Reference 33 CFR part 331).	formation of the U	there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
	×	Approved JD – An approved JD is an a Check all that apply:	ppealable	action (Reference 33 CFR part 331).
		There are "navigable waters of the Uthe reviewed area. Approximate size of	Jnited Sta	ites" (as defined by 33 CFR part 329 and associated guidance) within onal area:0.05
		There are "waters of the United State reviewed area. Approximate size of juri	es" (as d isdictiona	efined by 33 CFR part 328 and associated guidance) within the I area:
		There are "isolated, non-navigable, Decision supported Jurisdiction.	intra-stat by SWA1	e waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
	A.	PF JURISDICTIONAL DETERMINA Waters defined under 33 CFR part 32 The presence of waters that are subject to the past, or may be susceptible for use to	9 as "nav	and flow of the tide and/or are presently used, or have been used in
		(2) The presence of interstate waters including (2) The presence of other waters such as sandflats, wetlands, sloughs, prairie poth destruction of which could affect interstate (i) which are or could be used by interstation (iii) from which fish or shellfish are (iii) which are or could be used for it (4) Impoundments of waters otherwise d. (5) The presence of a tributary to a water (6) The presence of territorial seas.	g all water all	sed, or were used in the past, or may be susceptible to use in rs which are subject to the ebb and flow of the tide. erstate wetlands ¹ . lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or erce including any such waters (check all that apply): foreign travelers for recreational or other purposes. the taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce. waters of the US.
F	Ratio Ceda	onale for the Basis of Jurisdictional De r Bayou. Cedar Bayou is tidally influenc	terminat ed and ev	ion (applies to any boxes checked above). The outfall is located in rentually flows into Galveston Bay.

La <u> </u>	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: Wind Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other: Applicant supplied information
\boxtimes	Mean High Water Mark indicated by: ⊠ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated, prepared by (company): This office does not concur with the delineation report, dated, prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Dealogical Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17.5 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic qua

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: SWG-04-13-017

S C C A N	tate: Texas ounty: Libe enter coord pproximate ame of near		le): 30° 0 I, includin	3' 31"N, 94° 49' 04" W g uplands: acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 15 November 2004 Date(s):
Ju		al Determination (JD):		
L	Office 3	States" and/or "navigable water ice 33 CFR part 331).	formations of the U	, \(\sum_{\text{there appear to be (or)}} \sum_{\text{there appear to be no "waters of the United States"}}\) on the project site. A preliminary JD is not appealable
×	Approve Check al	ed JD – An approved JD is an a ll that apply:	ppealable	e action (Reference 33 CFR part 331).
	There	e are "navigable waters of the wed area. Approximate size o	United Sta f jurisdict	ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:0.54
	There reviewed	e are "waters of the United Sta I area. Approximate size of just	tes" (as d	lefined by 33 CFR part 328 and associated guidance) within the al area:
	■ There	e are "isolated, non-navigable, Decision supported Jurisdiction.	intra-stat by SWA	te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
A.	Waters d The prese	ence of waters that are subject i	29 as "na to the ebb	vigable waters of the United States": and flow of the tide and/or are presently used, or have been used in tinterstate or foreign commerce.
B	(1) The printerstate (2) The price (3) The price (3) The price (3) The price (4) Impout (5) The price (6) The price (6) The printers (7) Impout (7) Impout (8) Impout (9) Impout	or foreign commerce, including resence of interstate waters incommerce of interstate waters incommerce of other waters such as wetlands, sloughs, prairie pother of which could affect interst hich are or could be used by inform which fish or shellfish are which are or could be used for andments of waters otherwise of resence of a tributary to a water resence of territorial seas.	urrently using all water luding intrastates to les, wet atte committerstate or could lindustrial lefined as ridentifie	e lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or erce including any such waters (check all that apply): r foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. purposes by industries in interstate commerce. waters of the US.
Rat the	i <mark>onale for t</mark> Γrinity Rive	the Basis of Jurisdictional Deer, which is a navigable water	eterminat vay.	ion (applies to any boxes checked above). The project is located in

	Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: Applicant supplied information WG-04-13-017 High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	 Mean High Water Mark indicated by: □ survey to available datum; □ physical markings; □ vegetation lines/changes in vegetation types.
E	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
B	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
DATA	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated, prepared by (company): This office does not concur with the delineation report, dated, prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic spanning status and survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** SWG-04-14-047

S C A N	tate: County: Center coordi pproximate	Tx Harris & inates of si size of are set waterw	Brazoria te (latitude/longitu a (parcel) reviewed yay: Clear Creek Clear Creek	de): d, includinį	UtM 15 267489E 3274688N g uplands: 11 acres.
JURIS C	SDICTIONA ompleted:	AL DETE Desktop Site visite	RMINATION determination (s)	\boxtimes	Date: 11/15/04 Date(s): Compliance file # D-15726
Jı	ırisdictiona	l Determi	nation (JD):		
	Prelimina United St	ary JD - Ba	ased on available ir or "navigable wate	nformation rs of the U	, ☐ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
×	Approved Check all	d JD – An that apply	approved JD is an a	appealable	action (Reference 33 CFR part 331).
	There the review	are "navig ved area. A	gable waters of the Approximate size of	United Sta f jurisdicti	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area:
	There reviewed	<i>are</i> "watei area. App	rs of the United Sta roximate size of ju	ites" (as de	efined by 33 CFR part 328 and associated guidance) within the larea: 0.59.
	☐ There	<u> </u>	ted, non-navigable, Decision supported Jurisdiction.	intra-state by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No.
Α.	Waters de The presen	efined und ace of water	is mai are subject i	29 as "nav	rigable waters of the United States": and flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.
B	interstate of (2) The present (3) The present (3) The present (3) The present (4) Impoun (5) The present (6) T	or foreign of esence of in esence of of wetlands, so of which eich are or of the which are or down which are or down the first are of the esence of a sence of the esence	commerce, including the state waters and ther waters such as loughs, prairie poth could affect interstate water by in ish or shellfish are could be used for waters otherwise detributary to a water critorial seas.	urrently using all water shuding interstate colles, wet reate comme terstate or or could be industrial perined as we determined as we dentified	lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or ree including any such waters (check all that apply): foreign travelers for recreational or other purposes.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency

FILE NUMBER: SWG-04-14-047

L	ateral F	Extent of Jurisdiction: (Reference: 33 CFR parts 328	and 2	20)	FILE NUMBER: 5WG-04-14-04
\triangleright	Ordi	nary High Water Mark indicated by:			n Tide Line indicated by:
-		clear, natural line impressed on the bank	, I	mgi.	oil or sour line along shore this st
	Ħ	the presence of litter and debris		H	oil or scum line along shore objects
		changes in the character of soil		H	fine shell or debris deposits (foreshore)
	M	destruction of terrestrial vegetation		님	physical markings/characteristics
				닏	tidal gages
		shelving		Ш	other:
		other:			
<u> </u>	1 M	XXII. 1 XXI 4 . 3 # 11			
L	iviean	High Water Mark indicated by:			
		rvey to available datum; 🔲 physical markings; 🔲 v	egetat	ion l	lines/changes in vegetation types.
	Watt	and have desired as a street of the street o			
	TCS	and boundaries, as shown on the attached wetland deli B: Verified under D-15726	neatio	n m	ap and/or in a delineation report prepared by:
	1Ca	b. Verified under D-15/26			
Ra	cic For	Not Asserting Jurisdiction:			
	The re	eviewed area consists entirely of uplands.			
	Linahi	le to confirm the presence of waters in 33 CFR part 32	0(.)(1	_	4.5
	Head	warters declined to approve invitation on the basis	8(a)(1	, 2,	or 4-7).
H	The C	quarters declined to approve jurisdiction on the basis of	11 33 C	FK	part 328.3(a)(3).
	Unite	Corps has made a case-specific determination that the f d States:	onow	ing	waters present on the site are not Waters of the
			1 .		44 CDD
		Waste treatment systems, including treatment ponds	or lag	goon	is, pursuant to 33 CFR part 328.3.
	H	Artificial lakes and pends greated by averaging and	land 1	tne	rrigation ceased.
	Ц	Artificial lakes and ponds created by excavating and	or an	king	dry land to collect and
		retain water and which are used exclusively for such rice growing.	purpe	oses	as stock watering, irrigation, settling basins, or
					. 11 . 11 . 0
	ш	Artificial reflecting or swimming pools or other sma	II orna	imei	ntal bodies of water created
		by excavating and/or diking dry land to retain water	for pr	ımaı	rily aesthetic reasons.
	ш	Water-filled depressions created in dry land incident	ai to c	onsi	truction activity and pits excavated in dry land for
		the purpose of obtaining fill, sand, or gravel unless a	na un	iii th	ie construction or excavation operation is
		abandoned and the resulting body of water meets the 328.3(a).	delin	itioi	n of waters of the United States found at 33 CFR
	\Box	Isolated, intrastate wetland with no nexus to interstat			
	Ħ	Prior converted cropland, as determined by the Natur	nol De	mer	ce.
		Those converted cropiand, as determined by the Natu	iai Ke	sour	ces Conservation Service. Explain rationale:
	П	Non-tidal drainage or irrigation ditches excavated on	dry l	and	Evnlain rationale:
		Other (explain):	diy i	ınd.	Explain rationate.
	_				
DATA F	REVIEV	WED FOR JURSIDICTIONAL DETERMINATIO	N (m	ark	all that apply):
	Maps,	plans, plots or plat submitted by or on behalf of the ar	plicar	ıt.	
\boxtimes	Data sl	heets prepared/submitted by or on behalf of the application	ant.		
	\bowtie Th	his office concurs with the delineation report, dated 7 J	ulv 20	004.	prepared by (company): TC&B
	☐ Th	is office does not concur with the delineation report, of	lated	,	, prepared by (company):
	Data sl	neets prepared by the Corps.			, propuled by (company).
	Corps'	navigable waters' studies:			
	U.S. G	eological Survey Hydrologic Atlas:			
\boxtimes	U.S. G	eological Survey 7.5 Minute Topographic maps:			
	U.S. G	eological Survey 7.5 Minute Historic quadrangles:			
U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps:					
	Nationa	al wetlands inventory maps:			
State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date):					
	100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date):				
币		shotographs (Date):			
Ħ		ced Identification Wetland maps:			
П	Site visit/determination conducted on: Applicable/supporting case law:				
					
⊠	Other in	information (please specify): Project Plans and D-1572	6		
-	11	(F Speeds) / 1 Toject I lails and D-13/2	·		

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: D-16620

PROJ	ECT LOCATION INFORMATION:
St	ate: Texas
Co	ounty: Fort Bend
Ce	enter coordinates of site (latitude/longitude): 29 31' 14" N, 95 46' 12" W, (NAD 27)
Aı	pproximate size of area (parcel) reviewed, including uplands: 0.02 acres.
Na	ame of nearest waterway: Dry Creek
Na	ame of watershed: Lower Brazos
JURIS	DICTIONAL DETERMINATION
	Desktop determination Date: 17 November 2004
	Site visit(s) Date(s):
	Date(s).
Ju	risdictional Determination (JD):
\boxtimes	Preliminary JD - Based on available information, \(\subseteq there appear to be \) (or) \(\subseteq there appear to be no "waters of the United States" and (or "paying his waters of the United States" and (or "paying his waters of the United States")
<u> </u>	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).
	(Notationed 33 Gr K part 331).
П	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).
	Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within
	the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the
	reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.
	Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No
	Jurisdiction.
RASIS (OF JURISDICTIONAL DETERMINATION:
A.	Wotow defined under 22 CPD
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past or may be susceptible for use to treaspart into the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.
В.	Waters defined under 22 CFD (200.24)
ъ. П	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
ш	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all the currently used, or were used in the past, or may be susceptible to use in
	interstate of foreign commerce, including all waters which are subject to the ebb and flow of the tide
H	(2) The presence of interstate waters including interstate wetlands
	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats,
	sandiais, wettailds, sloughs, prairie politoles, wel meadows playa lakes or natural nands the year described
	destruction of which could affect interstate commerce including any such waters (check all that apply).
	(i) which are of could be used by interstate or foreign travelers for recreational or other purposes
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
63	(iii) which are or could be used for industrial purposes by industries in interstate commerce.
	(4) Impoundments of waters otherwise defined as waters of the US.
	(5) The presence of a tributary to a water identified in (1) – (4) above.
H	(6) The presence of territorial seas.
Z	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands.
ъ	

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Wetlands are located below the OHWM of Dry Creek. Dry Creek flows to Smithers Lake, which flows to Rabbs Bayou. Rabbs Bayou is a tributary of Big Creek, which is a tributary of the Brazos River, a navigable water of the United States.

FILE NUMBER: D-16620 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: plans provided by applicant; aerial photographs Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: SMC Consulting, Inc. **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created П by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated September 2004, prepared by (company): SMC Consulting This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: 1971 Richmond; Thompsons and Smithers Lake 1953, PR 1980 U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: 1999 Richmond State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 03 January 1997, Panel 220, Fort Bend County 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Ricmond Texas 2002, 1995 Other photographs (Date): Undated Site Photographs Advanced Identification Wetland maps:

Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

^TWetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

		CESWG D-16324			
Sta Co Ce Ap Na	unty: Montgom nter coordinates of site proximate size of area me of nearest waterwa	ery e (latitude/longitude a (parcel) reviewed,): including	30° 13' g uplands:	15"N, 95° 34' 09"W 1.6 miles.
	DICTIONAL DETER mpleted: Desktop d Site visit(s	letermination	⊠ ⊠	Date: Date(s):	11/18/04 10/21/04
	United States" and/o (Reference 33 CFR)	sed on available infor "navigable waters part 331).	of the U	nited States"	opear to be (or) there appear to be no "waters of the on the project site. A preliminary JD is not appealable
	Check all that apply: There are "navig the reviewed area. A There are "water reviewed area. Appr	able waters of the UApproximate size of the United State of toximate size of juri	Jnited Sta jurisdicti es" (as d sdictiona	ates" (as defir ional area: efined by 33 I area:1.4	CFR part 328 and associated guidance) within the 41-acre
BASIS (M I J DF JURISDICTIONA	Decision supported burisdiction. AL DETERMINAT	by SWAN ΓΙΟΝ:	NCC/Migrato	wetlands" within the reviewed area. ory Bird Rule Information Sheet for Determination of No
A.	The presence of wate the past, or may be so	ers that are subject to	the ebb	and flow of t	ers of the United States": the tide and/or are presently used, or have been used in or foreign commerce.
	interstate or foreign (2) The presence of i (3) The presence of c sandflats, wetlands, s destruction of which (i) which are or (ii) from which (iii) which are or (4) Impoundments of (5) The presence of a (6) The presence of the content of the con	waters, which are cu commerce, including nterstate waters including other waters such as sloughs, prairie poth could affect intersta could be used by int fish or shellfish are or r could be used for if waters otherwise do a tributary to a water erritorial seas.	rrently us g all wate uding int intrastate oles, wet ate comme erstate or or could lendustrial efined as identifie	sed, or were ters which are terstate wetland lakes, rivers meadows, plearce including foreign travete taken and purposes by waters of the d in (1) – (4)	used in the past, or may be susceptible to use in esubject to the ebb and flow of the tide. ands ¹ . s, streams (including intermittent streams), mudflats, playa lakes, or natural ponds, the use, degradation or ing any such waters (check all that apply): welers for recreational or other purposes. sold in interstate or foreign commerce. industries in interstate commerce.
Dot	ionala fan tha Dania a	£ I		•	

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: These waters and adjacent wetlands are tributaries to other waterways that eventually flow into the San Jacinto River.

FILE NUMBER: D-16324

Lai ⊠	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ tidal gages ☐ other:						
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.						
×	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: HTNB						
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Upland drainage ditch with no direct connection to a water of the United States. Other (explain):						
\boxtimes	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated6/23/04 and 11/1/04, prepared by (company): This office does not concur with the delineation report, dated, prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.						

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG FILE NUMBER: I-4888
PROJECT LOCATION INFORMATION: State: Texas County: Montgomery Center coordinates of site (latitude/longitude): 30° 06′ 30″N, 95° 45′ 32″W Approximate size of area (parcel) reviewed, including uplands:N/A acres. Name of nearest waterway: Brushy Creek Name of watershed: Upper San Jacinto River
JURISDICTIONAL DETERMINATION Completed: Desktop determination
Jurisdictional Determination (JD):
Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:0.09-ac
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
 B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.
Rationale for the Basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of Jurisdictional Determination (applies to any horses should be a local to the basis of the b

FILE NUMBER: I-4888

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Berg Oliver, Inc.
Ba	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Upland drainage ditch with no direct connection to a water of the United States. Other (explain):
	REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

DISTRICT OFFICE: CESWG-PE-RC FILE NUMBER: D-16738

PROJECT LOCATION INFORMATION.

() () () ()	pproximate	TX Harris linates of site (latitude/longitud e size of area (parcel) reviewed, rest waterway: Vince Bayou ershed:	e): , including	29° 42' 25"N, 95° 13' 04"W guplands: Unknown acres.
JURIS C	SDICTION. ompleted:	AL DETERMINATION Desktop determination Site visit(s)	×	Date: 11-15-04 Date(s):
	Prelimina United S	al Determination (JD): tary JD - Based on available interest and/or "navigable water are 33 CFR part 331).	formation, s of the Ur	☑ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
S	Approve	•	ppealable	action (Reference 33 CFR part 331).
	There the review	e are "navigable waters of the l wed area. Approximate size of	United Sta	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area:
	There reviewed	e are "waters of the United Stat l area. Approximate size of jur	es" (as de isdictional	efined by 33 CFR part 328 and associated guidance) within the area:
	■ There	are "isolated, non-navigable, Decision supported Jurisdiction.	intra-state by SWAN	e waters or wetlands" within the reviewed area. ICC/Migratory Bird Rule Information Sheet for Determination of No.
Α.	Waters d The presen	ence of waters that are subject t	29 as "nav o the ebb a	rigable waters of the United States": and flow of the tide and/or are presently used, or have been used in interstate or foreign commerce.
B.	(1) The printerstate (2) The pr (3) The pr sandflats, destruction (i) wh (ii) fr (iii) w (4) Impout (5) The pr (6) The printerstate (1) (1) (2) (3) (4) (5) (5) (6) (6) (6) (6) (7) (6) (7) (6) (7) (7) (7) (7) (7) (7) (7) (7) (7) (7	resence of waters, which are curor foreign commerce, including resence of interstate waters incresence of other waters such as wetlands, sloughs, prairie pother of which could affect interstation of which could be used by infrom which fish or shellfish are which are or could be used for indiments of waters otherwise difference of a tributary to a water resence of territorial seas.	g all water luding interior intrastate intrastate noles, wet ate commeterstate or or could be industrial perior identified	lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or cree including any such waters (check all that apply): foreign travelers for recreational or other purposes. The taken and sold in interstate or foreign commerce. The purposes by industries in interstate commerce.

FILE NUMBER: D-16738

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
4	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA R	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Datural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

FILE NUMBER: 23571

ate: Textounty: Char county: Char enter coordinates oproximate size of time of nearest wa	as mbers of site (latitude/longitud if area (parcel) reviewed tterway: Cedar Bayou	, including	g uplands: 4.25 acres.
mpleted: Desk	top determination		Date: 17 November 2004 Date(s):
risdictional Dete	ermination (JD):		
omica States	undion havigable water	formation, s of the Ur	there appear to be (or) there appear to be no "waters of the lited States" on the project site. A preliminary JD is not appealable
Approved JD – Check all that a	An approved JD is an a pply:	ppealable	action (Reference 33 CFR part 331).
There are "I the reviewed are	navigable waters of the Uea. Approximate size of	Jnited Stat	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area: 2.87 acres.
There are "v reviewed area.	vaters of the United Stat Approximate size of juri	es" (as de isdictional	fined by 33 CFR part 328 and associated guidance) within the area:
There are "i	solated, non-navigable, Decision supported Jurisdiction.	<i>intra-state</i> by SWAN	waters or wetlands" within the reviewed area. CC/Migratory Bird Rule Information Sheet for Determination of No.
Waters defined The presence of	under 33 CFR part 32 waters that are subject to	9 as "nav	nd flow of the tide and/or are presently used, or hove because 1:
(1) The presence interstate or fore (2) The presence (3) The presence sandflats, wetlan destruction of what (ii) which are (iii) from what (iii) which a (4) Impoundment (5) The presence (6) The presence	ign commerce, including of interstate waters including of other waters such as ds, sloughs, prairie potherich could affect interstate or could be used by intich fish or shellfish are or could be used for interstate of could be used for interstate of could be used for interstate of the could be used for interstate of	g all waters uding inte intrastate l oles, wet r te commen erstate or t or could be industrial p effined as w identified	ed, or were used in the past, or may be susceptible to use in s which are subject to the ebb and flow of the tide. restate wetlands ¹ . lakes, rivers, streams (including intermittent streams), mudflats, neadows, playa lakes, or natural ponds, the use, degradation or rece including any such waters (check all that apply): foreign travelers for recreational or other purposes. It taken and sold in interstate or foreign commerce. The urposes by industries in interstate commerce.
	ate: Tex. Dunty: Cha Enter coordinates Directory: Tex. Dunty: Cha Enter coordinates Directory: Tex. Dunter coordinates Directory: Tex. Dunter coordinates Directory: Tex. Dunter coordinates Directory: Desk Site: Dunted States' (Reference 33 (Approved JD — Check all that a Directory: There are "interviewed area. Directory: Desk Directory: D	county: Chambers center coordinates of site (latitude/longitude) coproximate size of area (parcel) reviewed coproximate size of area (parcel) reviewed come of nearest waterway: Cedar Bayou come of watershed: Lower Cedar Bayou come of watershination Completed: Desktop determination Site visit(s) Frisdictional Determination (JD): Preliminary JD - Based on available intervited States and/or "navigable waters (Reference 33 CFR part 331). Approved JD - An approved JD is an acceptance of the United State reviewed area. Approximate size of jurishinate size of jurishinate size of jurishinate waters of the United State reviewed area. Approximate size of jurishinate size of jurishinate size of waters that are subject to the past, or may be susceptible for use to the past, or may be susceptible for use to waters defined under 33 CFR part 32 The presence of waters, which are curinterstate or foreign commerce, including (2) The presence of other waters such as sandflats, wetlands, sloughs, prairie pothed destruction of which could affect interstate (i) which are or could be used by interpretation of which fish or shellfish are confident waters of the presence of a tributary to a water (iii) which are or could be used for interpretation of waters otherwise despite the presence of territorial seas. The presence of territorial seas. The presence of wetlands adjacent to a water of the presence of territorial seas.	ate: Texas bunty: Chambers cher coordinates of site (latitude/longitude): proximate size of area (parcel) reviewed, including time of nearest waterway: Cedar Bayou time of nearest waterway: Cedar Bayou time of watershed: Lower Cedar Bayou DICTIONAL DETERMINATION mpleted: Desktop determination Site visit(s) Preliminary JD - Based on available information, United States" and/or "navigable waters of the United States" and/or "navigable waters of the United States and/or "navigable waters of the United State and the reviewed area. Approximate size of jurisdiction There are "navigable waters of the United State are insolated, non-navigable, intra-state Decision supported by SWAN Jurisdiction. FJURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "nav The presence of waters that are subject to the ebb a the past, or may be susceptible for use to transport Waters defined under 33 CFR part 328.3(a) as " (1) The presence of other waters such as intrastate interstate or foreign commerce, including all waters (2) The presence of interstate waters including inte (3) The presence of other waters such as intrastate interstate or foreign commerce, including all waters (2) The presence of other waters such as intrastate interstate or foreign commerce, including inte (3) The presence of other waters such as intrastate interstate commerce (i) which are or could be used by interstate commerce (ii) which are or could be used by interstate or destruction of which fish or shellfish are or could be used for industrial p (iii) which are or could be used for industrial p (iii) which are or could be used for industrial p (iii) which are or could be used for industrial p (iii) which are or could be used for industrial p (iii) which are or could be used for industrial p (iii) presence of a tributary to a water identified (b) The presence of territorial seas. The presence of wetlands adjacent to other waters

FILE NUMBER: 23571

Latora	J. Evtont of Louis History (D. C. 22 CED		FILE NUMBER: 235
	al Extent of Jurisdiction: (Reference: 33 CFR parts 328 rdinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:	High Tide Line indic oil or scum line fine shell or det	ated by: along shore objects oris deposits (foreshore) ogs/characteristics
	ean High Water Mark indicated by: survey to available datum; 🛛 physical markings; 🔘 v	getation lines/changes in	vegetation types.
☐ We	etland boundaries, as shown on the attached wetland dela	eation map and/or in a de	lineation report prepared by:
The Una Hea	or Not Asserting Jurisdiction: e reviewed area consists entirely of uplands. able to confirm the presence of waters in 33 CFR part 32 adquarters declined to approve jurisdiction on the basis of e Corps has made a case-specific determination that the itied States: Waste treatment systems, including treatment ponds Artificially irrigated areas, which would revert to up Artificial lakes and ponds created by excavating and retain water and which are used exclusively for such rice growing. Artificial reflecting or swimming pools or other sma by excavating and/or diking dry land to retain water Water-filled depressions created in dry land incident the purpose of obtaining fill, sand, or gravel unless a abandoned and the resulting body of water meets the 328.3(a). Isolated, intrastate wetland with no nexus to interstat Prior converted cropland, as determined by the Natu	33 CFR part 328.3(a)(3). Illowing waters present or ralgoons, pursuant to 33 and if the irrigation ceased or diking dry land to collection of the purposes as stock watering ornamental bodies of water primarily aesthetic rease to construction activity and until the construction of definition of waters of the commerce.	CFR part 328.3. d. ct and g, irrigation, settling basins, or ter created cons. and pits excavated in dry land for excavation operation is United States found at 33 CFR
	Non-tidal drainage or irrigation ditches excavated on Other (explain):	lry land. Explain rational	e:
Maps Data Data Data Corp U.S. U.S. U.S. USD Natio State/ FEM 100-y Aeria Other Advai	EWED FOR JURSIDICTIONAL DETERMINATIONS, plans, plots or plat submitted by or on behalf of the applications, plots or plat submitted by or on behalf of the application office concurs with the delineation report, dated This office does not concur with the delineation report, of sheets prepared by the Corps. 183 office does not concur with the delineation report, of sheets prepared by the Corps. 184 office does not concur with the delineation report, of sheets prepared by the Corps. 185 office does not concur with the delineation report, of sheets prepared by the Corps. 186 office does not concur with the delineation report, of sheets prepared by the Corps. 187 office does not concur with the delineation report, of sheets prepared by the Corps. 188 office does not concur with the delineation report, of sheets prepared by the Corps. 189 office does not concur with the delineation report, of sheets prepared by the delineation	licant. it prepared by (company	r): company):
Appli Appli	visit/determination conducted on: icable/supporting case law:		

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

FILE NUMBER: 23585

FILE	NUMBER: 23383
Sta Co Ce Ap Na	ECT LOCATION INFORMATION: ate: Texas bunty: Harris enter coordinates of site (latitude/longitude): 29-35-8.2059 / 95-2-23.0297 approximate size of area (parcel) reviewed, including uplands: 0.020 acres. ame of nearest waterway: Taylor Lake ame of watershed: Clear Creek
JURISI	DICTIONAL DETERMINATION
Co	Desktop determination Site visit(s) Date: 16 Nov 2004 Date(s):
Ju	risdictional Determination (JD):
	Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
×	Approved JD An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	☐ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
A.	DF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
B	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands ¹ . (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(4) Impoundments of waters otherwise defined as waters of the US.
(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

FILE NUMBER: 23585

Lat	Ordinary High Water Mark indicated by: Clear, natural line impressed on the bank Changes in the character of soil Changes in the ch
	Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:Other (explain):
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Dealogical Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute Historic quadrang

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District FILE NUMBER: 15208(04)/018

PROJECT LOCATION INFORMATION	DMATION	N INFOR	OCA	CTI	PROJEC
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determination:

State: Texas County: Galveston Center coordinates of site (latitude/longitude): 29-34-20.49 / 94-24-13.37 Approximate size of area (parcel) reviewed, including uplands: 0.69 acres. Name of nearest waterway: Intercoastal Waterway Name of watershed: High Island/Gulf of Mexico JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 16 November 2004 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, _ there appear to be (or) _ there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) - (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

_	FILE NUMBER: 15208(04)/018
La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

Kevisea 8/13/04

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESwg FILE NUMBER: D-16704

S C C A N	eate: tx ounty: jasper enter coordinates of site (latitude/longitude): UTM Zn. 15 407864E, 3371207N pproximate size of area (parcel) reviewed, including uplands: 2 acres. ame of nearest waterway: Sabine River ame of watershed: Sabine
JURIS C	DICTIONAL DETERMINATION completed: Desktop determination
Ju	risdictional Determination (JD):
	Preliminary JD - Based on available information, \square there appear to be (or) \boxtimes there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
Α.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
B	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute Historic quadrangles:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

Kevised 8/13/04

U.S. Army Corps of Engineers

DISTRICT OFFICE: CESwg FILE NUMBER: D-16705

St Co Co Ap Na	ate: tx bunty: jasper enter coordinates of site (latitude/longitude): UTM Zn. 15 409804E, 3376856N pproximate size of area (parcel) reviewed, including uplands: 2 acres. ame of nearest waterway: Sabine River ame of watershed: Sabine
	DICTIONAL DETERMINATION ompleted: Desktop determination
Ju	risdictional Determination (JD):
\boxtimes	Preliminary JD - Based on available information, \square there appear to be (or) \boxtimes there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
A.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands ¹ . (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (iii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iiii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands.

	Ordinary High Water Mark indicated by:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
. [Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
B	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328 3(a)(3)
DATA	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): Jasper County 1977 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESwg FILE NUMBER: D-16706

PROJI	ECT LOCATION INFORMATION:
	ate: tx
	ounty: jasper
Ce	enter coordinates of site (latitude/longitude): UTM Zn. 15 413197E, 3387757N
Ap	oproximate size of area (parcel) reviewed, including uplands: 2 acres.
Na	ime of nearest waterway: Sabine River
Na	me of watershed: Sabine
	DICTIONAL DETERMINATION
Co	mpleted: Desktop determination \(\sum \) Date: 11/17/04
	Site visit(s) Date(s):
Ju	risdictional Determination (JD):
\boxtimes	Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or)} \) \(\subseteq there appear to be no "waters of the United States" and \(\subseteq \text{" and \(\subseteq \text{ appear to \(\subset
	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).
	· · · · · · · · · · · · · · · · · · ·
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).
	Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within
	the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the
	reviewed area. Approximate size of jurisdictional area:
	Those are "traded to
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Ried Rule Information Short St. Decision Supported by SWANCC/Migratory Ried Rule Information Short St. Decision Supported by SWANCC/Migratory Ried Rule Information Short St. Decision
	Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of N Jurisdiction.
	Jurisdiction.
BASIS (OF JURISDICTIONAL DETERMINATION:
Α.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.
	purely of they of disception for use to manager; interstate of foreign commerce.
В.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
	(2) The presence of interstate waters including interstate wetlands ¹ .
	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudgets
	sandilats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use degradation or
	destruction of which could affect interstate commerce including any such waters (check all that apply).
	(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
	(iii) which are or could be used for industrial purposes by industries in interstate commerce.
	(4) Impoundments of waters otherwise defined as waters of the US.
	(5) The presence of a tributary to a water identified in $(1) - (4)$ above.
	(6) The presence of territorial seas
	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands.
	serial designation of the serial designation
Dati	amala familia ID 1 CT 1 D dt 1 D dt 1 D dt 1

D-/670L FILE NUMBER: D-17606

I a	FILE NUMBER: D-1	700
	ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving high Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:	
	other:	
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.	
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CF 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:	r for
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):	
	Aviewed For Jursidictional Determination (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Data sheets prepared by (company): Data sheets prepa	
	pplicable/supporting case law: ther information (please specify):	
	mer missimution (pieuse specify).	

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESwg FILE NUMBER: D-16707 PROJECT LOCATION INFORMATION: State: tx County: jasper Center coordinates of site (latitude/longitude): UTM Zn. 15 413428E, 3389972N Approximate size of area (parcel) reviewed, including uplands: 2 acres. Name of nearest waterway: Sabine River Name of watershed: Sabine JURISDICTIONAL DETERMINATION **Completed:** Desktop determination \boxtimes Date: 11/17/04 Site visit(s) П Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq \text{ there appear to be no "waters of the appear to be no "waters of the or "waters" of "wa United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: ☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:

 \Box (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

(4) Impoundments of waters otherwise defined as waters of the US.
(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

D-/4707 FILE NUMBER: D-17607

La	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	is For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Aceilogical Survey 15 Minute Historic quadrangles: U.S. Aceilogical Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 1

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-16745

PRO	JE	CT LOCA	ATION II	NFORMATIO	N:				
	Stat		Texas						
		inty:	Galvesto						
				ite (latitude/long			V, 94° 44' 45" V	W	
				ea (parcel) revie			acres.		
						Bolivar Roads			
ı	Nan	ne of wate	ershed:	Huc Code: 12	040204, Wes	st Galveston Bay	7		
JURI	SD	ICTION	AL DETE	ERMINATION					
(Con	npleted:	Desktop	determination	\boxtimes	Date: 12 Nov	vember 2004		
			Site visit	t(s)	П	Date(s):			
	Juri			ination (JD):					
I	X	United S	tates" and	sased on availab Vor "navigable v R part 331).	le information waters of the	on, 🛛 <i>there appe</i> United States" c	ear to be (or) [on the project s	☐ <i>there appear</i> ite. A prelimin	to be no "waters of the ary JD is not appealable
C]	Approved Check all	d JD – An I that appl	approved JD is y:	an appealab	le action (Refere	ence 33 CFR pa	art 331).	
		There	are "nav wed area.	igable waters of Approximate si	the United Size of jurisdi	States" (as define ctional area:	ed by 33 CFR p	part 329 and ass	sociated guidance) within
		There reviewed	are "wate area. Ap	ers of the United proximate size of	d States" (as of jurisdiction	defined by 33 C nal area: .	FR part 328 ar	nd associated gr	uidance) within the
		■ There	are "isol	ated, non-navigo Decision suppo Jurisdiction.	able, intra-si orted by SW	tate waters or we ANCC/Migrator	etlands" within y Bird Rule Inf	the reviewed a formation Shee	rea. t for Determination of No
ASI	s o	F JURIS	DICTION	NAL DETERM	INATION.				
	۱.	Waters d	efined ur	der 33 CFR na	rt 329 as "n	avigable water	s of the United	States".	
٥	P	The prese	nce of wa	ters that are sub	ject to the eb	bb and flow of thoristate or	e tide and/or ar	re presently use	ed, or have been used in
****	<u>.</u>	Waters d	efined ur	der 33 CFR pa	rt 328.3(a) a	as "waters of th	e United State	es":	
L	1	(1) The pi	resence of	waters, which a	are currently	used, or were us	sed in the past,	or may be susc	eptible to use in
-	_	interstate	or foreigr	commerce, inc	luding all wa	iters which are s	ubject to the eb	bb and flow of t	he tide.
F	4	(2) The pi	resence of	interstate water	s including i	nterstate wetland	ds ¹ .		
L	J	(3) The pr	resence of	other waters su	ch as intrasta	ate lakes, rivers,	streams (includ	ding intermitten	nt streams), mudflats,
		sanunais, destructio	n of which	, stoughs, prairte h could offoat in	e poinoies, w	et meadows, pla	ya lakes, or nat	tural ponds, the	use, degradation or
			hich are o	r could be used	herstate com	merce including	any such water	rs (check all the	at apply):
			om which	i could be used i fich or challfiel	b are or coul	or foreign travel d be taken and so	ers for recreati	onal or other p	urposes.
		(iii)	vhich are	or could be used	l for industri	al purposes by ir	old in interstate	or foreign con	nmerce.
Г	7	(4) Impou	ndments i	of waters otherw	ise defined :	as waters of the l	idustries in inte	erstate commer	ce.
F	i	(5) The pr	esence of	a tributary to a	water identif	is waters of the tied in (1) – (4) a	obove		
Ē				territorial seas.	ater idelitii	100 III (1) – (4) a	DOVE.		
Ē	1	(7) The pr	esence of	wetlands adjace	ent ² to other	waters of the US	excent for the	ose wetlands ad	jacent to other wetlands.
-							, except for the	ose wellands au	jacent to other wetrands.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

FILE NUMBER: D-16745

	Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: The Jetties Quadrangle U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadrangles: U.S. Geological Survey 10 Minute Historic quadrangl

 $^{^{2}}$ The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

DISTRICT OFFICE: CESWG FILE NUMBER: SWG-04-41-001

PROIEC	'T LOCA	TION IN	FORMA	TION

State:

Texas

County:

Fort Bend County

Center coordinates of site (latitude/longitude):

29° 24′ 34″ N, 95° 56′ 49″ W (WGS 84/NAD 83)

Approximate size of area (parcel) reviewed, including uplands: 2.25 acres.

Name of nearest waterway: Snake Creek

Name of watershed: HUC Code: 12090401, San Bernard

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

 \boxtimes

Date: 18 November 2004

Site visit(s)

Ø

Date(s): 14 October 2004

Jurisdictional Determination (JD):

×	Preliminary JD - Based on available information, \(\subseteq \text{ there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the Unit
--

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
 interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
(2) The presence of interstate waters including interstate wetlands ¹ .
(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats
sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or
destruction of which could affect interstate commerce including any such waters (check all that apply):
(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

[1] (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) - (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

FILE NUMBER: SWG-04-41-001 **Lateral Extent of Jurisdiction:** (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created П by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for П the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Kendleton Quadrangle U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: Kendelton Quadrangle State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: 14 October 2004 Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** D-16206

PROJE	CCT LOCATION INFORMATION:
	te: Texas
Co	unty: Jackson County
Ce	nter coordinates of site (latitude/longitude): 28° 44′ 57" N, 96° 39′ 51" W
Ap	proximate size of area (parcel) reviewed, including uplands: acres.
	me of nearest waterway: Garcitas Creek
Na	me of watershed: Huc Code: 12100402, West Matagorda Bay
HIDISI	DICTIONAL DETERMINATION
Co	
	Site visit(s) Date(s):
Jui	risdictional Determination (JD):
Ø	Preliminary JD - Based on available information, \(\simega\) there appear to be (or) \(\sum_{there appear to be no "waters of the limit of the control
	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).
Ш	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).
	Check all that apply:
	There are "poviceble victors of the United State 2" (15 11 22 GPP)
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	the reviewed area. Approximate size of jurisdictional area.
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the
	reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Pule Information Short for Determination SN
	Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
	Validate to the
BASIS (OF JURISDICTIONAL DETERMINATION:
<u>A.</u>	Waters defined under 33 CFR part 329 as "navigable waters of the United States":
	The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.
В.	Waters defined under 22 CED and 220 2() () () () () () () ()
Ë	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
L1	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
П	(2) The presence of interstate waters including interstate wetlands ¹ .
Ħ	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats,
	sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or
	destruction of which could affect interstate commerce including any such waters (check all that apply):
	(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
	(iii) which are or could be used for industrial purposes by industries in interstate commerce.
	(4) Impoundments of waters otherwise defined as waters of the US.
	(5) The presence of a tributary to a water identified in (1) – (4) above.
	(6) The presence of territorial seas,
Ц	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands.
D a 4	
Kati	onale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional

FILE NUMBER: D-16206

eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: Kamey Quadrangle U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: National wetlands inventory maps: Kamey Quadrangle State/Local wetland inventory maps: Kamey Quadrangle State/Local wetland inventory maps: (NGVD) Aerial Photographs (Name & Date): Other photographs (Name & Date): Advanced Identification Wetland maps: Site visit/determination conducted on:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

DISTRICT OFFICE: CESWG **FILE NUMBER:** 23590

PR	OJE	CT LOCATION INFORMATION:				
	Sta	te: Texas				
	Co	unty: Fort Bend				
	Cei	nter coordinates of site (latitude/longitude): Latitude 29 29' 06"N; -95 27' 37"W				
	Ap	proximate size of area (parcel) reviewed, including uplands: acres.				
	Na	me of nearest waterway: West Fork Chocolate Bayou				
		me of watershed: West Galveston Bay Huc: 12040204				
JU		DICTIONAL DETERMINATION				
	Co	mpleted: Desktop determination 🛛 Date: 18 November 2004				
		Site visit(s) Date(s):				
		-				
	Jur	risdictional Determination (JD):				
	П	Preliminary JD - Based on available information, \(\subseteq \text{there appear to be (or)} \subseteq there appear to be no "waters of the limit of the control of t				
	L	United States" and/or "navigable waters of the United States" and/or "navigable waters of the				
		United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).				
		(Reference 35 Cr R part 351).				
	\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).				
		Check all that apply:				
		check an that apply.				
		There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within				
		the reviewed area. Approximate size of jurisdictional area:				
		There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the				
		reviewed area. Approximate size of jurisdictional area:				
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.					
		Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No.				
		Jurisdiction.				
BAS	SIS C	OF JURISDICTIONAL DETERMINATION:				
	A.	Waters defined under 33 CFR part 329 as "navigable waters of the United States".				
		The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in				
		the past, or may be susceptible for use to transport interstate or foreign commerce.				
	B.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":				
		(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in				
		interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.				
		(2) The presence of interstate waters including interstate wetlands ¹ .				
		(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams) mudflate				
		sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or				
		destruction of which could affect interstate commerce including any such waters (check all that apply):				
		(i) which are or could be used by interstate or foreign travelers for recreational or other purposes				
		(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce				
		(iii) which are or could be used for industrial purposes by industries in interstate commerce				
		(4) Impoundments of waters otherwise defined as waters of the US.				
	\boxtimes	(5) The presence of a tributary to a water identified in (1) – (4) above.				
	Ш	(6) The presence of territorial seas.				
	\boxtimes	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wetlands adjacent to other wetlands.				

FILE NUMBER: 23590

La ⊠	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: Applicant's project plans High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
E	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 1.5 Minute Topographic maps: Juliff, Texas Quadrangle U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Datural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify): Jurisdictional delineation submitted to Compliance section for verification.

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** 14392(05)/1932

PROJECT LOCATION INFORMATION:

	Sta	te: unty:	Texas Matagore	do		
	Cer Ap	nter coordi proximate	nates of si size of are	te (latitude/longituda a (parcel) reviewed	d, including	Latitude 28 46' 08"N; Longitude -96 00' 01"W g uplands: acres.
		me of wate		yay: Colorado Rive Central Matagord		e: 12100401
JU				RMINATION determination (s)		Date: 18 November 2004 Date(s):
	Jur	isdictiona	l Determi	nation (JD):		
		United St	tates" and/	ased on available in or "navigable wate part 331).	nformation ers of the U	, there appear to be (or) there appear to be no "waters of the inited States" on the project site. A preliminary JD is not appealable
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:				action (Reference 33 CFR part 331).	
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) withit the reviewed area. Approximate size of jurisdictional area:					ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
		There	U	nted, non-navigable Decision supported Jurisdiction.	e, intra-sta d by SWA	te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
BA:	SIS C)F JURISI	DICTION	AL DETERMINA	ATION:	
	A.	The presen	nce of wat	ers that are subject	to the ebb	vigable waters of the United States": and flow of the tide and/or are presently used, or have been used in t interstate or foreign commerce.
	 B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. 				sed, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide.	
	Ц	destruction (i) wh (ii) fr	wetlands, n of which hich are or om which	sloughs, prairie po a could affect inters could be used by it fish or shellfish are	tholes, wet state comm nterstate o e or could	e lakes, rivers, streams (including intermittent streams), mudflats, meadows, playa lakes, or natural ponds, the use, degradation or erce including any such waters (check all that apply): r foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce.
		(4) Impou (5) The pr (6) The pr	which are of indments of resence of resence of	or could be used for of waters otherwise a tributary to a wat territorial seas.	r industrial defined as er identifie	purposes by industries in interstate commerce. waters of the US. d in $(1) - (4)$ above.
		(7) The pr	resence of	wetlands adjacent ²		aters of the US, except for those wetlands adjacent to other wetlands.
	Rati	onale for t	the Basis (of Jurisdictional D	etermina	tion (applies to any boxes checked above). If the jurisdictional

FILE NUMBER: 14392(05)/1932

La:	Ordinary High Water Mark indicated by: High Tide Line indicated by: Clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	Sis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA F	Other (explain): REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** 23607

St Co Co and end Ap Na	ate: ounty: enter coordi ds at Latituc oproximate	size of area (parcel) reviewed rest waterway: Gulf of Mexico	94 40' 25 I, includin	Pipeline begin Latitude 29 07' 54.621"N; Longitude -94 36' 25.099V.257'W within Galveston Anchorage Area Blks 210, 191, and 190. g uplands: acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 18 November 2004 Date(s):
Ju	risdictiona	al Determination (JD):		
	Prelimin United S	ary JD - Based on available in	nformation rs of the U	n, \square there appear to be (or) \square there appear to be no "waters of the Jnited States" on the project site. A preliminary JD is not appealable
×		ed JD – An approved JD is an II that apply:	appealabl	e action (Reference 33 CFR part 331).
	There the revie	e are "navigable waters of the wed area. Approximate size of	United Stof jurisdic	tates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
	☑ There	e are "waters of the United St d area. Approximate size of ju	ates" (as	defined by 33 CFR part 328 and associated guidance) within the lal area:
	☐ There	e are "isolated, non-navigable Decision supported Jurisdiction.	e, intra-sta d by SWA	ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BASIS A. ⊠	Waters of The prese	ence of waters that are subject	329 as "nate to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
B.	(1) The p interstate (2) The p (3) The p sandflats. destruction (i) w (ii) f (iii) (4) Import (5) The p (6) The p	presence of waters, which are a cor foreign commerce, including the presence of interstate waters in presence of other waters such a could water and the presence of other waters such a could affect interstate water or could be used by a from which fish or shellfish are which are or could be used foundments of waters otherwise presence of a tributary to a water sence of territorial seas.	currently ing all was a cluding in as intrasta atholes, we state commenterstate or could rindustria defined a ter identification.	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. It be taken and sold in interstate or foreign commerce all purposes by industries in interstate commerce.

	FILE NUMBER: 2360
	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages □ other: Territorial Seas
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Other (explain): EVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. A Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute H

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: CESWG **FILE NUMBER:** 23232(01)

Sta Co Ce Ap Na	CCT LOCATION INFORMATION: tte: Texas unty: Offshore, Texas nter coordinates of site (latitude/longitude): Latitude 29 07' 54.622"N; Longitude -94 36' 25.099"W proximate size of area (parcel) reviewed, including uplands: acres. me of nearest waterway: Gulf of Mexico me of watershed: Gulf of Mexico					
	DICTIONAL DETERMINATION mpleted: Desktop determination					
Ju	risdictional Determination (JD):					
	Preliminary JD - Based on available information, \square there appear to be (or) \square there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).					
\boxtimes	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:					
	☐ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	☐ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.					
A.	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.					
B. ⊠ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (iii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.					

2 **FILE NUMBER: 23232(01)** Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil physical markings/characteristics destruction of terrestrial vegetation ☐ tidal gages shelving other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: **Basis For Not Asserting Jurisdiction:** The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): ☐ This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date):

Other photographs (Date):

☐ Advanced Identification Wetland maps:
☐ Site visit/determination conducted on:
☐ Applicable/supporting case law:
☐ Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-16591

PROJ	ROJECT LOCATION INFORMATION:					
S	State: Texas					
C	County: Jefferson					
C	Center coordinates of site (latitude/longitude): 30-10-46.1217 / 94-10-18.8647					
Α	Approximate size of area (parcel) reviewed, including uplands: 0.25 acres.					
N	Name of nearest waterway: Pine Island Bayou					
N:	Name of watershed: Lower Neches River					
JURIS	RISDICTIONAL DETERMINATION					
	Completed: Desktop determination					
	C: : : : : : : : : : : : : : : : : : :					
	Site visit(s) Date(s):	*				
Ju	Jurisdictional Determination (JD):					
	Preliminary JD - Based on available information, there appear to be (or) there Inited States and or "navigable waters of the United States" and or "navigable waters of the United States".					
-	United States" and/or "navigable waters of the United States" on the project site. A (Reference 33 CFR part 331).	re appear to be no "waters of the preliminary JD is not appealable				
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:						
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) with the reviewed area. Approximate size of invisitional areas are associated guidance with the reviewed area.					
	the reviewed area. Approximate size of jurisdictional area:					
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:					
	There are "isolated, non-navigable, intra-state waters or wetlands" within the re Decision supported by SWANCC/Migratory Bird Rule Informat Jurisdiction.	viewed area. ion Sheet for Determination of No				
BASIS (SIS OF JURISDICTIONAL DETERMINATION:					
A.	A. Waters defined under 33 CFR part 329 as "navigable waters of the United State	_				
N	The presence of waters that are subject to the ehb and flow of the tide and/or are presented.	es":				
	The presence of waters that are subject to the ebb and flow of the tide and/or are presented past, or may be susceptible for use to transport interstate or foreign commerce.	ently used, or have been used in				
В.						
	(1) The presence of waters, which are currently used, or were used in the past, or may interstate or foreign companyed including the	ha guagamtible to				
	interstate or foreign commerce, including all waters which are subject to the ebb and	flow of the 4:4-				
	(2) The presence of interstate waters including interstate wetlands ¹ .	now of the tide.				
同	(3) The presence of other waters such as intrastate lakes, rivers, streams (including in	**************************************				
	sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural pudestruction of which could effect interested a second s	termittent streams), mudflats,				
	destruction of which could affect interstate commerce including any such waters (che	olids, the use, degradation or				
	(i) which are or could be used by interstate or foreign travelers for recreational o	ck all that apply):				
	(ii) from which fish or shellfish are or could be taken and sold in interstate or for	r other purposes.				
	(iii) which are or could be used for industrial purposes by industries in interstate	eign commerce.				
П	(4) Impoundments of waters otherwise defined as waters of the US.	commerce.				
苘	(5) The presence of a tributary to a water identified in $(1) - (4)$ above.					
	(6) The presence of territorial seas					
同	(7) The presence of wetlands adjacent ² to other waters of the US, except for those wet	danda Para da a				
lt	- Control waters of the OS, except for those well	manus adjacent to other wetlands.				

2 FILE NUMBER: D-16591 Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: High Tide Line indicated by: clear, natural line impressed on the bank oil or scum line along shore objects the presence of litter and debris fine shell or debris deposits (foreshore) changes in the character of soil \boxtimes physical markings/characteristics destruction of terrestrial vegetation tidal gages shelving other: other: Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Basis For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain): DATA REVIEWED FOR JURSIDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. ☐ This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: ☑ U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps:
FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date):

Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.